

Town Hall
183 Main Street
Cornwall, NY 12518
(845) 534-3760
fax: (845) 534-4342

Town of Cornwall



Orange County, New York

Office of the Supervisor
Kevin Quigley
Town Supervisor

AGENDA

Cornwall Town Board

Regular Meeting – Monday, August 12, 2013

7:30 pm

6:30 p.m. Special Meeting to go into Closed Session to confer with counsel for confidential legal advice.

7:15 p.m. Public Hearing – Local Law to Amend Town Code, "Use Tables"

Pledge of Allegiance

Approval of Minutes – Special Meeting June 25, 2013; Regular Meeting July 8, 2013; Special Meeting July 24, 2013; Special Meeting August 6, 2013

Public Comment Agenda Items

1. Resolution – Revaluation Update – SEQR
2. Resolution – Bonding – Revaluation Update
3. Resolution – HVAC Upgrades – SEQR
4. Resolution – Bonding – HVAC Upgrades
5. Resolution – Highway Truck/Equipment Purchase – SEQR
6. Resolution – Bonding – Highway Truck/Equipment Purchase
7. Resolution – Sanitation Truck/Equipment Purchase – SEQR
8. Resolution – Bonding – Sanitation Truck/Equipment Purchase
9. Resolution – Amend Local Law "Use Tables" – SEQRA
10. Resolution – Adopt Local Law "Use Tables"
11. Resolution – Yannone Letter of Credit
12. Resolution – School Crossing Guards
13. Resolution – Hand Property
14. Resolution – Firthcliffe Heights Water District
15. Resolution – Sands Ring Homestead
16. Resolution – Marriage Officer
17. Resolution – Canadian Geese
18. Old Route 32 Culvert
19. Laurel Crest Park Run
20. Personnel:
Appointments – Part Time Court Attendant; Tree Warden
Training: NYS Assoc Fall Highway Conference

Committee Reports

Warrant #8

Public Comment

Adjournment

WHEREAS, the Town Board has determined to proceed with
a revaluation update, and

WHEREAS, the Town Board is the sole Involved Agency in
the SEQOR review, and

WHEREAS, the Town Board must conclude SEQOR before
adopting a bond resolution to finance the revaluation update,

NOW, THEREFORE, BE IT RESOLVED as follows:

The Town Board hereby determines that the proposed
action, the revaluation update, is a Type II Action under SEQOR.

_____ presented the foregoing
resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

JRL/ef/312897
254-65671
8/7/13

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cornwall,

in the County of Orange, New York

August 12, 2013

* * *

A regular meeting of the Town Board of the Town of Cornwall, in the County of Orange, New York, was held at the Town Hall, within said Town, on August 12, 2013.

There were present: Hon. D Kevin Quigley, Supervisor; and

Town Board Members: Alexander Mazzocca, Randolph S. Clark, Elizabeth Longinott, Mary Beth Greene-Krafft

There were absent:

Also present: Renata McGee, Town Clerk

* * *

_____ offered the following resolution and moved its
adoption:

BOND RESOLUTION OF THE TOWN OF CORNWALL, NEW YORK, ADOPTED AUGUST 12, 2013, AUTHORIZING A REAL PROPERTY REVALUATION PROJECT IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$150,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CORNWALL, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cornwall, in the County of Orange, New York (herein called the "Town"), is hereby authorized to undertake a real property revaluation project in the Town, including appraisals and related services. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of \$150,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$150,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said \$150,000 serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 53 of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes, and Sections 50.00 and 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to cause to be published in "*The Cornwall Local*," a newspaper having general circulation in the Town and hereby designated the official newspaper of said Town for such publication, a summary of this bond resolution, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law.

The adoption of the foregoing resolution was seconded by _____

and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

WHEREAS, the Town Board has determined to proceed with HVAC upgrades at Town Hall, and

WHEREAS, the Town Board is the sole Involved Agency in the SEQR review, and

WHEREAS, the Town Board must conclude SEQR before adopting a bond resolution to finance the HVAC upgrades at Town Hall,

NOW, THEREFORE, BE IT RESOLVED as follows:

The Town Board hereby determines that the proposed action, HVAC upgrades at Town Hall, is a Type II Action under SEQR.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

JRL/ef/313037
254-65671
8/7/13

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cornwall,
in the County of Orange, New York

August 12, 2013

* * *

A regular meeting of the Town Board of the Town of Cornwall, in the County of Orange, New York, was held at the Town Hall, within said Town, on August 12, 2013.

There were present: Hon. D Kevin Quigley, Supervisor; and

Town Board Members: Alexander Mazzocca, Randolph S. Clark, Elizabeth Longinott, Mary Beth Greene-Krafft

There were absent:

Also present: Renata McGee, Town Clerk

* * *

_____ offered the following resolution and moved its
adoption:

BOND RESOLUTION OF THE TOWN OF CORNWALL, NEW YORK, ADOPTED AUGUST 12, 2013, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE HVAC SYSTEM IN TOWN HALL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$50,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$50,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CORNWALL, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cornwall, in the County of Orange, New York (herein called the "Town"), is hereby authorized to construct improvements to the HVAC system in Town Hall. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$50,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$50,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "*The Cornwall Local*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such

publication and posted on the sign board of the Town maintained pursuant to the Town Law, a

Notice in substantially the following form:

WHEREAS, the Town Board has determined to proceed with Highway Truck/Equipment Purchase, and

WHEREAS, the Town Board is the sole Involved Agency in the SEQR review, and

WHEREAS, the Town Board must conclude SEQR before adopting a bond resolution to finance the Highway Truck/Equipment Purchase,

NOW, THEREFORE, BE IT RESOLVED as follows:

The Town Board hereby determines that the proposed action, Highway Truck/Equipment Purchase, is a Type II Action under SEQR.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

JRL/ef/313038
254-65671
8/7/13

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cornwall,
in the County of Orange, New York

August 12, 2013

* * *

A regular meeting of the Town Board of the Town of Cornwall, in the County of Orange, New York, was held at the Town Hall, within said Town, on August 12, 2013.

There were present: Hon. D Kevin Quigley, Supervisor; and

Town Board Members: Alexander Mazzocca, Randolph S. Clark, Elizabeth Longinott, Mary Beth Greene-Krafft

There were absent:

Also present: Renata McGee, Town Clerk

* * *

_____ offered the following resolution and moved its
adoption:

BOND RESOLUTION OF THE TOWN OF CORNWALL, NEW YORK, ADOPTED AUGUST 12, 2013, AUTHORIZING THE ACQUISITION OF HIGHWAY EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$230,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$230,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CORNWALL, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cornwall, in the County of Orange, New York (herein called the "Town"), is hereby authorized to acquire highway equipment. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$230,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$230,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$230,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "*The Cornwall Local*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such

publication and posted on the sign board of the Town maintained pursuant to the Town Law, a

Notice in substantially the following form:

WHEREAS, the Town Board has determined to proceed with Sanitation Truck/Equipment Purchase, and

WHEREAS, the Town Board is the sole Involved Agency in the SEQR review, and

WHEREAS, the Town Board must conclude SEQR before adopting a bond resolution to finance the Sanitation Truck/Equipment Purchase,

NOW, THEREFORE, BE IT RESOLVED as follows:

The Town Board hereby determines that the proposed action, Sanitation Truck/Equipment Purchase, is a Type II Action under SEQR.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

JRL/ef/313039
254-65671
8/7/13

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Cornwall,
in the County of Orange, New York

August 12, 2013

* * *

A regular meeting of the Town Board of the Town of Cornwall, in the County of Orange, New York, was held at the Town Hall, within said Town, on August 12, 2013.

There were present: Hon. D Kevin Quigley, Supervisor; and

Town Board Members: Alexander Mazzocca, Randolph S. Clark, Elizabeth Longinott, Mary Beth Greene-Krafft

There were absent:

Also present: Renata McGee, Town Clerk

* * *

_____ offered the following resolution and moved its
adoption:

BOND RESOLUTION OF THE TOWN OF CORNWALL, NEW YORK, ADOPTED AUGUST 12, 2013, AUTHORIZING THE ACQUISITION OF A SANITATION TRUCK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$160,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$160,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CORNWALL, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cornwall, in the County of Orange, New York (herein called the "Town"), is hereby authorized to acquire a sanitation truck. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$160,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$160,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$160,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "*The Cornwall Local*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such

publication and posted on the sign board of the Town maintained pursuant to the Town Law, a

Notice in substantially the following form:

WHEREAS, the Town Board is considering the adoption of a local law entitled: A Local Law to amend Town Code Chapter 158 by amending Town Code Section 158-9 "Use Tables" Table of General Use Regulations MR District, 158 Attachment 3.1, and

WHEREAS, this is an action subject to SEQRA, and

WHEREAS, the Town Board as the sole Involved Agency assumes Lead Agency status and, as such, has caused to be prepared a short Environmental Assessment Form ("EAF"),

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Supervisor is hereby authorized to sign the EAF, and

2. That after considering all of the information presented to it, including the EAF, the Town Board determines that the adoption of this local law is an Unlisted Action and adopts the Negative Declaration attached hereto.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/313149
254-65403.03
8/9/13

DRAKE LOEB HELLER KENNEDY GOGERTY GABA & RODD PLLC
555 HUDSON VALLEY AVENUE, SUITE 100, NEW WINDSOR, NEW YORK 12553
PHONE: 845-561-0550

WHEREAS, the Town Board is considering the adoption of a local law entitled: A Local Law to amend Town Code Chapter 158 by amending Town Code Section 158-9 "Use Tables" Table of General Use Regulations MR District, 158 Attachment 3.1, and

WHEREAS, following due notice the Town Board held a public hearing on the proposed local law,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby adopt the above local law which said local law shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/313147
254-6540303
8/8/13

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of CORNWALL

Local Law No. 7 of the year 2013

A local law to amend Town Code chapter 158 by amending Section 158-9 "Use Tables" Table of
(Insert Title)
General Use Regulations MR District, 158 Attachment 3.1

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of CORNWALL as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 1. TITLE

This local law shall be known as "A Local Law amending Town Code Section 158-9 'Use Tables,' Table of General Use Regulations MR District, 158 Attachment 3.1."

SECTION 2. PURPOSE

A Local Law to amend Town Code Chapter 158 by amending Town Code Section 158-9 "Use Tables," Table of General Use Regulations MR District, 158 Attachment 3.1.

SECTION 3. PROVISIONS

Town Code Section 158-9 "Use Tables," is hereby amended by revising the provisions of Table of General Use Regulations, "158 Attachment 3.1, Table of General Use Regulations MR District," column 3, item 22, by deleting therefrom the words "and 158-25.2".

SECTION 4. SEVERABILITY

If any clause, sentence, paragraph, word, section or part of this local law shall be judged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the language directly involved in the controversy in which judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE

This local law will take effect immediately upon filing in the Office of the Secretary of State in Albany.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 7 of 2013 of the (County)(City)(Town)(Village) of CORNWALL was duly passed by the TOWN BOARD on August 12, 2013, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer*)
on 20 0 0, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1____ above.

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body
Renata McGee, Town Clerk

Date: _____

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ORANGE

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
JAMES R. LOEB, ATTORNEY

Title

County _____
City of CORNWALL
Town _____
Village _____

Date: _____

WHEREAS, heretofore Raymond D. Yannone, Jr., as the developer of a subdivision in the Town of Cornwall, has posted an Irrevocable Standby Letter of Credit issued by Walden Federal Savings and Loan Association in the amount of \$13,980.28, and

WHEREAS, the Town Engineer and the Building Inspector have advised that following periodic compliance field reviews that the required work is complete and recommend that the above letter of credit be released,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Walden Federal Savings and Loan Association Standby Letter of Credit No. 2011-03 be released by the Town and returned to the Bank with a copy of this resolution attesting to the fact that the Letter of Credit is being returned and any obligation of the Bank to the Town under the Letter of Credit is terminated.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

JRL/ef/313231
254-65400
8/9/13

DRAKE LOEB HELLER KENNEDY GOGERTY GABA & RODD PLLC
555 HUDSON VALLEY AVENUE, SUITE 100, NEW WINDSOR, NEW YORK 12553
PHONE: 845-561-0550

WHEREAS, heretofore the Town has employed school crossing guards at the Willow Avenue School and at the intersection of Main Street and Willow Avenue, and

WHEREAS, prior to the end of the school year (May 2013) the Cornwall Police Department monitored the two locations to see if there was still a need to staff these positions, and

WHEREAS, Police Chief Todd M. Hazard has recommended that based upon the Department's monitoring, the two positions be abolished prior to the start of the school year in September, 2013,

NOW, THEREFORE, BE IT RESOLVED as follows:

That effective immediately, based upon Chief Hazard's recommendation, the Town Board does hereby abolish the two crossing guard positions at the Willow Avenue School and at the intersection of Main Street and Willow Avenue.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

WHEREAS, heretofore the Town Board has considered the purchase of the Hand property on Route 32 adjacent to the Town highway garage, and

WHEREAS, the Town Board by this resolution is confirming its intention to acquire the property, and

WHEREAS, the Town wishes to initiate the due diligence process in connection with the purchase,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Supervisor is authorized to enter into a contract with William Going & Associates to perform the environmental investigation of the site and provide a report to the Town for a not-to-exceed cost of \$2,000.00.

2. That the Supervisor is authorized to retain the services of Steven P. Drabick, New York State licensed land surveyor to survey the Hand property at a not-to-exceed cost of \$6,000.00 following the execution of the purchase and sale agreement.

3. That the Town Board serving as the sole Involved Agency in the purchase directs that an Environmental Assessment Form be prepared and submitted to the Town Board at its September 2013 Town Board meeting.

4. That the Town Board authorizes the Attorney for the Town to secure a title report for title insurance on the

purchase with a not-to-exceed cost of \$3,200.00 exclusive of any recording and filing fees.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

JRL/ef/313324
254-65583
8/12/13

WHEREAS, the Town Board has been advised by the Town of New Windsor Water Department, the supplier of water to the Firthcliffe Heights Water District (the "District"), that water rates in the District have been increased from \$10.00 per 1000 gallons to \$11.20 per 1000 gallons, and

WHEREAS, it is appropriate and necessary for the Town Board to authorize the increase effective in the next billing period,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby authorize the increase in water rates in the District from \$10.00 per 1000 gallons to \$11.20 per 1000 gallons.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

SJG/ef/313256
254-65400
8/9/13

WHEREAS, the Town of Cornwall owns a parcel of property on which the historic Sands Ring Homestead is located, and

WHEREAS, the Friends of Sands Ring Homestead Museum ("Friends of Sands Ring") have offered to donate \$11,400.00 for the purchase of shingles and materials to replace the existing roof on the Sands Ring building, and

WHEREAS, it is necessary and appropriate for the Town to repair or replace the existing roof,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board of the Town of Cornwall does hereby accept with thanks the generous \$11,400.00 donation from the Friends of Sands Ring for the purchase of shingles and materials for the Sands Ring Homestead roof.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Randolph S. Clark, Councilman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

JRL/ef/313299
254-64443
8/9/13

WHEREAS, KEVIN V. BRENNAN has requested that the Town Board appoint him as a marriage officer for the purpose of solemnizing a marriage his niece, Meaghan Gatti, wishes to enter into with Matthew Kamna, and

WHEREAS, he is a resident of the Town of Cornwall and the marriage will be solemnized within the Town of Cornwall,

NOW, THEREFORE, pursuant to the provisions of Section 11-c of the Domestic Relations Law of the State of New York, the Town Board does hereby designate and appoint KEVIN V. BRENNAN as a marriage officer for the purpose of solemnizing the marriage between his niece, Meaghan Gatti, and Matthew Kama which said ceremony shall take place within the Town of Cornwall.

_____ presented the foregoing resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Randolph S. Clark, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____

JRL/ef/313093
254-65400
8/12/13

WHEREAS, the Town of Cornwall was contacted by the United States Department of Agriculture Wildlife Services ("USDA"), and was informed that the Canadian geese that congregate at Rings Pond create a safety hazard for aircraft due to their proximity to Stewart International Airport and the Air National Guard Base at Stewart Airfield; and

WHEREAS, as a result of concerns over the potential threat to the safety of aircraft at the airport and the Air National Guard Base created by the proximity of the Canada geese at Rings Pond to local air traffic, the Town Board authorized the USDA to proceed with a Canada geese management program on the Town's property, and

WHEREAS, the USDA undertook to mitigate the danger to air traffic posed by the Canada geese at Rings Pond by culling the goose population at Rings Pond; and

WHEREAS, the Town Board is interested in investigating whether there are other, equally effective, non-lethal means of mitigating the danger to air traffic posed by the Canada geese at Rings Pond; and

WHEREAS, the Town Board also wishes to develop a goose population management policy to mitigate the unsanitary conditions at Rings Pond caused by the Canadian geese; and

WHEREAS, it has been proposed to form a committee of

local residents to assist the Town Board in developing a Town policy for goose population management that will adequately address the aircraft safety concerns raised by the USDA and will also help address the Town's concerns for keeping the Rings Pond property in a sanitary condition;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board does hereby create the "Goose Population Management Committee," which shall be an informal advisory Committee comprised of such volunteer members as may be accepted by the Town Board from time to time, and who shall serve at the pleasure of the Town Board without fixed terms. Members of the Committee shall not be deemed Town officers, employees or agents for any purpose, and shall serve without compensation.

2. The function, purpose and mission of the Goose Population Management Committee shall be as follows:

- (i) to research and catalogue all feasible methods of goose population management, both lethal and non-lethal, which could be used to mitigate the danger to air traffic posed by the Canada geese at Rings Pond and to address the sanitary problems caused by geese at Rings Pond, including the cost of each; and
- (ii) to contact and dialogue with the USDA, Stewart International Airport and the Air National Guard over the various methods of goose population management identified by the Committee and determine which methods would be effective in mitigating the danger to air traffic posed by the Canada geese at Rings Pond; and

(iii) to investigate and catalogue all feasible methods of goose population management, both lethal and non-lethal, which could be used to mitigate the unsanitary conditions at Rings Pond caused by the Canadian geese; and,

(iv) to prepare and submit a written report setting forth the results of its studies and findings regarding feasible methods of goose population management which would be effective in mitigating the danger to air traffic posed by the Canada geese at Rings Pond and which could be used to mitigate the unsanitary conditions at Rings Pond.

3. The Chairman, Vice-Chairman and recording secretary of the Committee shall be elected by a majority of the Committee Members, and the Committee shall hold such meetings as shall be called by the Chairman or, in his absence, by the Vice-Chairman.

4. The Goose Population Management Committee shall exist until such time as it renders a report on goose population management to the Town Board, or such other date as the Town Board shall determine, and no lethal methods for goose population management shall be employed by the Town until such time.

5. The Town Board hereby accepts the following volunteers as the initial membership of the Committee:

_____ presented the foregoing
resolution which was seconded by _____,

The vote on the foregoing resolution was as follows:

Alexander Mazzocca, Councilman, voting _____

Elizabeth Longinott, Councilwoman, voting _____

Randolph S. Clark, Councilman, voting _____

Mary Beth Greene-Krafft, Councilwoman, voting _____

D. Kevin Quigley, Supervisor, voting _____